

REMARKS

Claims 1, 3-5, 7-9, 11, 13 and 14 are pending in this application. By this Amendment, claims 1 and 5 are amended and find support in claims 2 and 6 and in the specification as filed at page 8, lines 21-24. Claims 2, 6, 10 and 12 are canceled. No new matter is added by this Amendment.

The courtesies extended to Applicants' representative by Examiner Bernshteyn at the interview held October 20, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

I. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-14 under 35 U.S.C. §103(a) as allegedly being unpatentable over JP 2003-128900 ("Takagi") in view of JP 55-131047 ("Omura"). Applicants respectfully traverse this rejection.

Takagi and Omura fail to describe or suggest the polylactic acid resin composition of claim 1 and the molded article of claim 5.

Takagi describes a lactic acid resin article that may include both L-lactic acid and D-lactic acid. Takagi, Abstract and paragraph [0011]. However, Takagi describes that it is necessary that the total lactic acid content comprise at least 90% of either D-lactic acid or L-lactic acid, with the remaining lactic acid comprising no more than 10% of the total lactic acid content. See *id.* If the percent content of the total lactic acid is outside this range, thermal resistance is unobtainable. See *id.*

Claims 1 and 5, however, recite that the polylactic acid capable of generating stereocomplex crystallization is a blend of poly-L-lactic acid and poly-D-lactic acid, and the blend has a ratio of poly-L-lactic acid to poly-D-lactic acid of from 30% to 70% by weight to

70% to 30% by weight based upon a total weight of poly-L-lactic acid and poly-D-lactic acid. In other words, claims 1 and 5 require that the blend of poly-L-lactic acid and poly-D-lactic acid comprises no more than 70% by weight of either polylactic acid. Thus, Takagi not only fails to describe the polylactic acid resin composition of claim 1 and the molded article of claim 5, but teaches away from a blend of polylactic acids comprising below 90% of either polylactic acid. Therefore, Takagi fails to render obvious claims 1 and 5.

Omura fails to remedy the deficiencies of Takagi. Omura describes an aromatic polyester polycarbonate resin composition comprising a "specific urea compound," but fails to describe any polylactic acid content at all. See Omura, Abstract, as reproduced in Office Action Search Results, page 35. Thus, Omura fails to remedy the deficiencies of Takagi.

Therefore, Takagi and Omura, whether taken independently or together, fail to render obvious claims 1, 3-5, 7-9, 11, 13 and 14. Withdrawal of the rejection is respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-5, 7-9, 11, 13 and 14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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JAO:AQS

Attachment:
Petition for Extension of Time

Date: November 17, 2009

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